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## COUNTY OF YORK MEMORANDUM

**DATE:** February 18, 2000 (BOS Mtg. 03/01/00)

**TO:** York County Board of Supervisors

**FROM:** Daniel M. Stuck, County Administrator 

**SUBJECT:** Amendment to Section 4-2.1 of the York County Code

In the 1999 session of the General Assembly, the General Assembly amended Section 3.1-796.94:1 of the Code of Virginia (1950), as amended. This section of the Virginia Code allows localities to regulate or prohibit the running at large and the keeping of animals and fowl, and to provide for the impounding and confiscation of any such animals or fowl found at large or kept in violation of any such regulation. The General Assembly amended this section of the Code in 1999 to allow localities to require that the owners of any exotic or poisonous animals found running at large pay a fee to cover the locality's actual costs incurred in locating, capturing, or otherwise disposing of such animals.

Although York County Animal Control has never directly confronted the problem of exotic or poisonous animals running at large, other localities in the Hampton Roads area have dealt with this issue. Two years ago, the City of Norfolk incurred a great deal of expense when it confiscated an amateur herpetologist's snake collection after receiving a cruelty to animals complaint. Because of the danger posed to the animal control officers by the poisonous snakes, it took approximately eight days and a 24 hour watch to safely remove the collection.

Animals such as ostriches, emus and alligators are available for purchase and are being raised by private citizens. If York County Animal Control is called upon to confiscate, locate, or capture such animals, it is likely that the County would incur significant expense. Consequently, the proposed amendment to Section 4-2.1 of the York County Code takes advantage of the authority granted localities by the General Assembly to recoup the costs of locating, capturing, or otherwise disposing of exotic or poisonous animals. The proposed last sentence of the ordinance seeks to ensure that "actual cost" includes medical expenses if any Animal Control Officers are injured in the process of locating or capturing an exotic or poisonous animal.

I recommend approval of attached Ord. No. 00-1.

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